

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	CRIMINAL NO. 3:05-1116 (CMC)
)	
v.)	OPINION and ORDER
)	
Julian J. Jackson,)	
)	
Defendant.)	
_____)	

This matter is before the court pursuant to Defendant's *pro se* motion for reconsideration. ECF No. 347.¹ The Government has not responded to Defendant's motion.

Defendant seeks reconsideration of the court's denial of relief under Amendment 750. *See* Order (ECF No. 345, filed Dec. 7, 2011). Defendant maintains that he is entitled to relief under Amendment 750 because he received a Rule 35(b) reduction in sentence, and that his status as a career offender "doesn't [bind] the courts to treat the advisory guideline of 4B1.1 as a mandatory statute." Mot. at 1.

As evidenced by the attached Sentence Reduction Report (SRR), Defendant is not entitled to relief under Amendment 750. Even assuming, for purposes of this motion, that Defendant's status as a career offender did not bar his eligibility for relief, the resulting offense level (28) combined with Defendant's criminal history category (VI) results in a Guidelines range of 140-175 months' imprisonment, which is higher than the sentence Defendant is currently serving. Therefore, Defendant is not entitled to relief under Amendment 750 because it did not lower Defendant's previously calculated Guidelines range. Defendant's motion for reconsideration is **denied**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
April 2, 2012

¹Defendant also filed a motion to amend to attach additional relevant case law. That motion (ECF No. 348) is **granted**.